

**DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION**

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HELENA, MONTANA 59620-1601**DECISION MEMO
CATEGORICAL EXCLUSION**

2022 Flathead Lake Biological Station, Univ. of MT: AIS Early Detection and Monitoring at a High-Risk Montana Waterbody

January 26, 2022

Flathead Lake Biological Station, University of Montana
Columbia River Basin, (47.907, -114.11718)
Flathead

PURPOSE AND NEED

The Flathead Lake Biological Station proposes to conduct dreissenid mussel early detection monitoring and educational outreach through 4 rounds of plankton tow sampling on Flathead Lake for both microscopy and eDNA analysis during 2022: late spring, early summer, mid-summer, and early fall seasons.

Scope:

Dreissenid mussel early detection will be conducted through 4 rounds of plankton tow sampling on Flathead Lake during 2022 at 31 sites following FLBS Protocol (Luikart et al. In prep) and shoreline inspections for taxa listed on FWP's list of priority invasive species (MTFWP 2019), while conducting outreach efforts with members of the general public.

Priorities:

Early detection monitoring and outreach efforts for Dreissenidae have become a big priority for western states (DOI 2020). This project aligns with WRP and MTFWP priorities.

Goals:

Goals of this project include early detection monitoring and outreach of Dreissenidae in coordination with MTFWP and the Confederated Salish and Kootenai Tribes (CSKT), resulting in 860 total samples (including field blanks) being collected. Data will be uploaded using MTFWP's Survey123 data collection app, archived by the Montana Natural Heritage Program, and sent to the Columbia River Basin AIS team's regional database.

Methods:

High volume plankton tow sampling has been shown to collect large amounts eDNA (Luikart) and is useful for early detection (Schabacker et al. 2020). A standard 64-micron mesh net will be used to collect field blanks and duplicate 50ml samples. Each sample will be split in half, with one half analyzed for dreissenid larvae and the other half analyzed for dreissenid eDNA. All samples will be preserved using 100% nondenatured ethanol and 5% baking soda buffering agent for preservation. Sampling will be concentrated during and after peak spawning times to increase likelihood of detection (Hoffman et al. 2011), beginning when subsurface water temperatures reach >55° F and continuing after peak (60°F to 65°F) spawning temperatures (MTFWP 2019). Boat sampling will target the thermocline, an area in the water column shown

for maximum veliger concentration (Reid et al. 2010), collected at a speed of 0.5 meters/second for a total of 90 seconds (Ministry of Environment 2018). Shoreline sites will target “hotspots” of boat activity (MTFWP 2018) including visual inspections for AIS taxa listed under the authority of MTFWP. Outreach will occur as conversations with recreationists introduce them to MTFWP’s AIS efforts, while more in-depth trainings and discussions take place when students, interns, and agency staff join. “Clean, Drain, and Dry” materials will be handed out during these outreach events.

Support:

CSKT agrees to provide staff in support of monitoring. MTFWP will analyze all veliger samples at no cost. FLBS will pay for eDNA analysis through philanthropic funding provided by residents supporting this project. An MOU between FLBS and MTFWP will give MTFWP sole authorization to announce analytical results. Day to day work on the project will come from AIS Coordinator Phil Matson, a voting member on the UC3 and contributing member of the WRP eDNA working group. Phil has over 20 years of monitoring experience. Katie Finley, CSKT AIS Coordinator, will be the tribal liaison for this project and has 2 years of AIS experience. FWP AIS Bureau Chief Thomas Woolf will be the main point of contact for FWP. FWP education coordinator Liz Lodman will provide Clean, Drain, and Dry materials.

DNRC will approve the grant to provide funding for the 2022 Flathead Lake Biological Station, Univ. of MT: AIS Early Detection and Monitoring at a High-Risk Montana Waterbody Project.

DNRC is not required to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) for actions that qualify for a CATEGORICAL EXCLUSION (ARM 36.17.614) or justified by a PROGRAMMATIC REVIEW; or are ACTIONS OF A SPECIAL NATURE (ARM 36.2.523(5)); or are EMERGENCIES (ARM 36.2.539). These actions are subject to review for EXTRAORDINARY CIRCUMSTANCES that would require an EA or an EIS.

ACTIONS OF SPECIAL NATURE (ARM 36.2.523)

- ☐ Administrative actions: routine, clerical or similar functions of a department, including but not limited to administrative procurement, contracts for consulting services, and personnel actions.
- ☐ Minor repairs, operations, or maintenance of existing equipment or facilities.
- ☐ Investigation and enforcement: data collection, inspection of facilities or enforcement of environmental standards.
- ☐ Ministerial actions: actions in which the agency exercises no discretion, but rather acts upon a given state of facts in a prescribed manner.
- ☐ Actions that are primarily social or economic in nature and that do not otherwise affect the human environment.

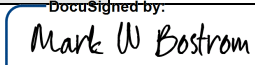
CATEGORICAL EXCLUSION/PROGRAMMATIC REVIEW

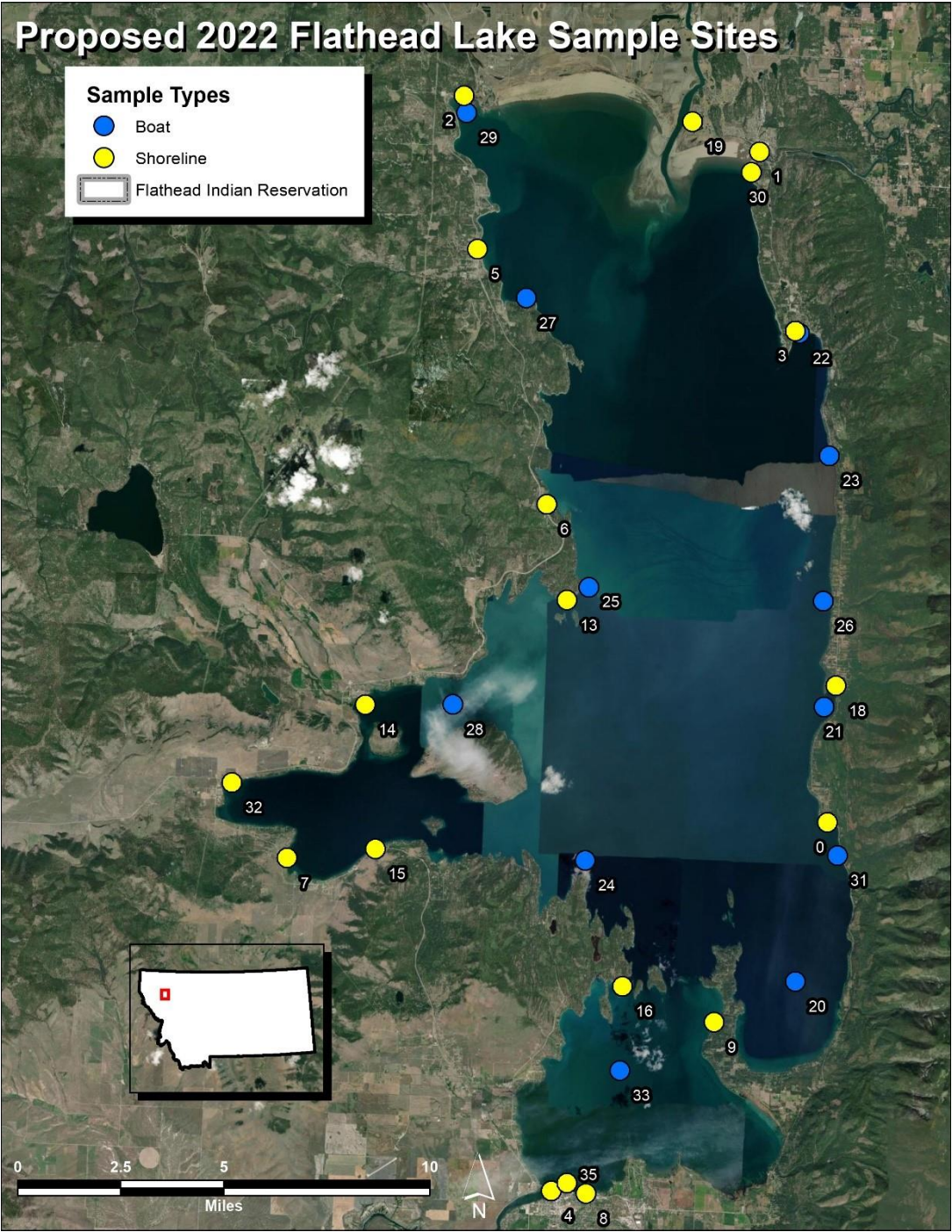
☒ Categorical Exclusion (CE) refers to a type of action which does not individually, collectively, or cumulatively require an EA or EIS, as determined by rulemaking or programmatic review adopted by the agency, unless extraordinary circumstances, as defined by rulemaking or programmatic review, occur. This project qualifies under ARM 36.17.614 CATEGORICAL EXCLUSIONS.

☐ Programmatic review means an analysis (EIS or EA) of the impacts on the quality of the human environment of related actions, programs, or policies. DNRC – CARDD does not have any programmatic reviews completed at the time of this template.

The project listed above meets the definition of Actions of a Special Nature, Categorical Exclusion or Programmatic Review including specified conditions and Extraordinary Circumstances. Included below is a supplemental checklist verifying the use of the Categorical Exclusion.

Prepared By:	Name:	Emily Moran, MISC	Date: 2/7/2022
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Approved By:	Name:	Mark Bostrom
	Title:	CARD Division Administrator
Signature:	<small>DocuSigned by:</small>  <small>BF7A1C50B2AF4DE...</small>	Date: 2/11/2022 8:44:18 AM MST



DNRC CARDD DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name: 2022 Flathead Lake Biological Station, Univ. of MT: AIS Early Detection and Monitoring at a High-Risk Montana Waterbody

Brief Description: The Flathead Lake Biological Station proposes to conduct dreissenid mussel early detection monitoring and educational outreach through 4 rounds of plankton tow sampling on Flathead Lake for both microscopy and eDNA analysis during 2022: late spring, early summer, mid-summer, and early fall seasons.

Agreement Number: AIS-22-0028

Date: 2/7/2022

Preparer: Emily Moran

The Department of Natural Resources and Conservation action under 36.17.614, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) if the application for department review is for any of the following projects:

(a) Projects relating to existing infrastructure systems such as sewer and septic systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems, dams, culverts, headgates, canal lining, siphons, pipelines, pump sites, lift stations, irrigation infrastructure, that involve:
[Answer yes or no. If all answers "no", an EA or EIS must be completed. If any answer is yes, skip to (b).]

1. No - Minor upgrading; or
2. No - Minor expansion of system capacity; or
3. No - Rehabilitation (including functional replacement) of the existing system and system components; or
4. No - Construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or
5. No - Projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges; or
6. No - Use of sampling and monitoring wells to test for the presence of contaminants such as, but not limited to, metals and petroleum; or

7. Yes - Activities that do not involve or lead directly to construction, such as planning studies, scientific research and analysis, surveys, or engineering.

(b) A categorical exclusion may NOT be granted for a department action if:

[Answer yes or no. If all answers "no", skip to (c). If any answer is yes, an EA or EIS must be completed.]

1. No - The action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;
2. No - The action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;
3. No - The action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;
4. No - The action is not supported by the state, or other regional growth plan or strategy;
5. No - The action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;
6. No - The department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;
7. No - The department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 36.2.524, or might possibly affect:
 - (i) sensitive environmental or cultural resource areas; or
 - (ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the

reviewer will then complete items below as follows:

[Once all steps are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

1. Yes - Project meets the above Categorical Exclusion criteria.
2. Yes - DNRC determination of Categorical Exclusion.
3. Yes - DNRC distributes the Notice of Determination.

4. Yes - Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.
5. No - Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below if revocation of a previously implemented CATEx becomes necessary.]

1. **Choose an item.** - The project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;
2. **Choose an item.** - The proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;
3. **Choose an item.** - New evidence demonstrates that serious local or environmental issues exist; or
4. **Choose an item.** - State, local, tribal, or federal laws may be violated.

Emily Moran

DNRC CARD Division STATE PREPARER

Demi Blythe – MEPA/NEPA Coordinator

DNRC CARD Division STATE REVIEWER

DocuSigned by:

Demi Blythe

2/10/2022 | 7:55:36 PM MST

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COMPLETION DATE